

Introduced by Senator Harman

February 15, 2011

An act to amend Section 5003.17 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 386, as introduced, Harman. State parks: leasing of real property.

Existing law authorizes the Department of Parks and Recreation to lease, for any use, all or any portion of any parcel of real property acquired for state park system purposes if the Director of Parks and Recreation finds that the use would be compatible with the use of the real property as a unit or part of a unit and with the sound management and conservation of resources within the unit, and prescribes terms and conditions for the lease of the real property.

This bill would make technical, nonsubstantive changes in those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5003.17 of the Public Resources Code
- 2 is amended to read:
- 3 5003.17. (a) The department may lease, for any use, all or any
- 4 portion of any parcel of real property acquired for state park system
- 5 purposes; if the director finds that the use would be compatible
- 6 with the use of the real property as a unit or part of a unit and with
- 7 the sound management and conservation of resources within the
- 8 unit.

1 (b) Rent shall be based on the fair market value of the property
2 when *it is* used for the purpose for which it is leased. All rent shall
3 be deposited ~~pursuant to~~ *in accordance with* Section 5010.
4 (c) The lease term shall not exceed 10 years. All leases are
5 subject to the approval of the Department of General Services.
6 (d) No lease shall be entered into that extends beyond the
7 10-year period unless the Legislature has reviewed and approved
8 the proposed lease as part of the annual budget process, or the
9 Public Works Board has determined that the proposed lease could
10 not have been presented to the Legislature for review and approval
11 in the course of its consideration of the Budget Bill and that it
12 would be adverse to the interests of the public to defer that review
13 and approval to a time when the Legislature next considers a
14 Budget Bill. Upon making that determination, the board may
15 review and approve the proposed lease after ~~giving~~ *providing* at
16 least 20 days' written notice to the Chairperson of the Joint
17 Legislative Budget Committee and to the chairperson of the fiscal
18 and appropriate policy committees of its intended action. All
19 actions taken by the board pursuant to this subdivision shall be
20 reported to the Legislature in the next Governor's Budget.